

REMARKS

By this Response, no claims are amended, added or cancelled. Accordingly, after entry of this Response, claim 1 will remain pending in the patent application. Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

The Amendment filed on April 5, 2006 was objected to under 35 U.S.C. §132(a) as allegedly introducing new matter. Claim 1 was rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The objection and the rejection are respectfully traversed.

In connection with the objection and the rejection, the Examiner indicated that there is no support for the limitation “wherein the pulley is exchangeable with a small-diameter pulley or a large-diameter pulley.” The Examiner went on to state “to the contrary, the specification indicates ‘that the second puller 58 is rotated by means of the belt 59 if the first pulley 56 is rotated of the motor 50.’” Applicants respectfully disagree with the Examiner’s determination.

An objective standard for determining compliance with the written description requirement is whether the description clearly allow persons of ordinary skill in the art to recognize that he or she invented what is claimed. (*See* MPEP 2163.02 citing In re Gosteli, 872 F.2d 1008, 1012, 10 USPQ2d 1614, 1618 (Fed. Cir. 1989)). In particular, the fundamental factual inquiry is whether the specification conveys with reasonable clarity to those skilled in the art that, as of the filing date sought, applicant was in possession of the invention as now claimed. (*See* MPEP §2163.02 citing Vas-Cath, Inc. v. Mahurkar, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991)). An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. (*See* MPEP 2163.02 citing Lockwood v. American Airlines, Inc., 107 F.3d 1565, 1572, 41 USPQ2d 1961, 1966 (Fed. Cir. 1997)).

Claim 1 recites an injection apparatus wherein, *inter alia*, the pulley is exchangeable with a small-diameter pulley or a large-diameter pulley. This recitation is clearly supported in the original disclosure. For example, page 11, lines 18-25 of the specification of the present invention clearly discloses that the pulley 58, which is situated on the extension axis X1 of the screw drive shaft 35, can be exchanged with a small diameter pulley or a large diameter pulley. Specifically, page 11, lines 18-25 of the original specification states “if the

diameter of the second pulley 58 can be reduced, the space between the pulley 58 and the guide bars 14 can be widened. If the reduction ratio must be increased, therefore, a reduction ratio  $\xi_2'$  can be made higher than the reduction ratio  $\xi_2$  for the case where the small pulley 58 is used by replacing the pulley 58 with a large-diameter pulley 58', as shown in FIG. 2." The Examiner's attention is also directed to page 4, lines 17-21 of the original specification where it is stated that "the diameter of the rotating member can be minimized...if the reduction ratio must be increased, therefore, its change can be easily coped with by replacing the rotating member with a larger one." As such, there is ample support in the original specification for the limitation: "wherein the pulley is exchangeable with a small-diameter pulley or a large-diameter pulley." In particular, since the original specification clearly describes the claimed invention with all of its limitations using such descriptive means as words, structures and figures, Applicants respectfully submit that the written description requirement is fully satisfied per MPEP §2163.02.

Accordingly, reconsideration and withdrawal of the objection to the Amendment filed on April 5, 2006 under 35 U.S.C. §132(a) and the rejection of claim 1 under 35 U.S.C. §112, first paragraph, are respectfully requested.

Applicants have addressed all the Examiner's rejections and objections and respectfully submit that the application is in condition for allowance. A notice to that effect is earnestly solicited.

If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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